

AMENDMENT NO. ONE (1)

**INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
THE CITY OF COOLIDGE**

THIS AMENDMENT, entered into 21 January, 2004, Amendment Number 1 to JPA 01-22, AG Contract No.: KR01 0254TRN, filed 18 May 2001, filed with the Secretary of State under No. 24638, pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the CITY OF COOLIDGE, acting by and through its MAYOR and CITY COUNCIL (the "City").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-401 to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The City is empowered by Arizona Revised Statutes Section 48-572 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the City.

THIS AGREEMENT is amended to include additional funding from the State to incorporate the additional design and construction of a new traffic signal located at Vah Ki Inn and State Route (SR) 287, into the City's existing construction contract, and includes additional funding from the State.

THEREFORE, Agreement JPA 01-022, is AMENDED by the parties and agreed to herein as follows:

Recital 3. is deleted and replaced as follows:

3. The State and the City are participating in the design, construction and maintenance of a warranted traffic signal at the intersection of State Route (SR) 87 and SR 287 (MP134.75), at an existing estimated total cost of \$120,000.00. The State and City desire to incorporate the addition of a new traffic signal located at Vah Ki Inn and SR 287 by change order to City's existing construction contract, at estimated total cost of \$150,000 hereinafter referred to collectively as the "Project" for a total estimated project cost of \$270,000.00. The State agrees to participate in an amount up to and not to exceed \$123,000.00, for its total share of the design and construction of the Project.

#0/
NO. 24638
Filed with the Secretary of State
Date Filed: 01/21/2004

Janice K. Brewer
Secretary of State

By: Tim D. Graenewald

II. SCOPE OF WORK

Article II. 1 c. is deleted and replaced as follows:

1. The City will:

c. Upon execution of the agreement, invoice the State for 40% participation of the cost of the Project, in an amount estimated at \$48,000.00 in addition, invoice traffic signal, in an amount not to exceed \$75,000.00 for the change order associated with the Project.

Article II. 2 b and c. are deleted and replaced as follows:

2. The State will:

b. Be responsible for 40% of the cost of the Project, in an amount estimated at \$48,000.00, and additional traffic signal by change order, an amount not to exceed \$75,000.00, for its proportionate share of any cost increases, and for any contractor claims for extra compensation due to delays or whatever reason attributable to the State.

c. Reimburse the City for the State's share of the cost of the Project, and the additional traffic signal by change order, in a total amount not to exceed \$123,000.00, within 30 days after receipt and approval of an invoice.

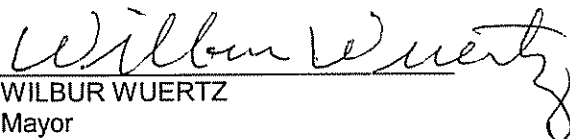
All other terms and conditions of the original Agreement remain the same, except as provided herein.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

CITY OF COOLIDGE

STATE OF ARIZONA

Department of Transportation

By 
WILBUR WUERTZ
Mayor

By 
MICHAEL P. MANTHEY, P.E.
State Traffic Engineer

ATTEST

By 
NORMA ORTIZ
City Clerk

RESOLUTION NO. 03-48

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF COOLIDGE, ARIZONA, IN SUPPORT OF THE CITY'S GRANT APPLICATION TO THE ARIZONA DEPARTMENT OF TRANSPORTATION (ADOT) FOR LOCAL TRANSPORTATION ASSISTANCE FUND II (LTAF II) FUNDS FOR TRANSIT RELATED USES.

WHEREAS, Local Transportation Assistance Fund II (LTAF II) is legislated funding currently derived from the State of Arizona General Fund and Powerball lottery revenues and provides for additional public transportation funding in Arizona; and

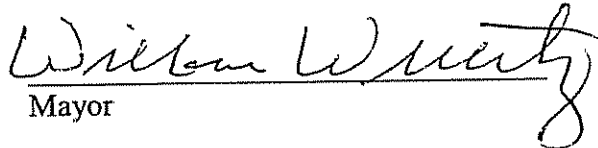
WHEREAS, the State of Arizona has announced that an unanticipated one-year program of LTAF II money is available for statewide distribution for public transportation purposes; and

WHEREAS, the City of Coolidge is submitting an LTAF II application to supplement the operations of its' existing public transportation service known as the "Cotton Express Transit System"; and

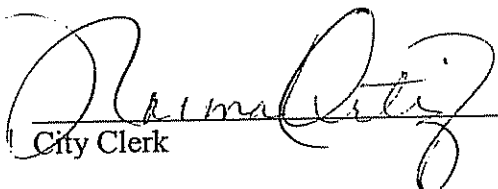
WHEREAS, the Coolidge City Council is committed to \$3,578.45 in staff salaries and fringes to match the grant amount of \$10,735.37.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Common Council of the City of Coolidge, Arizona support the grant application to The Arizona Department of Transportation for Local Transportation Assistance Fund II (LTAF II) funds for transit related uses.

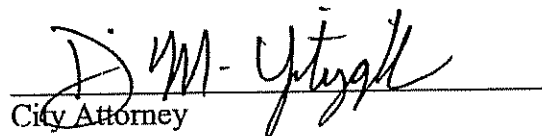
PASSED AND ADOPTED by the Mayor and City Council of the City of Coolidge on this 24th day of November, 2003.


Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:

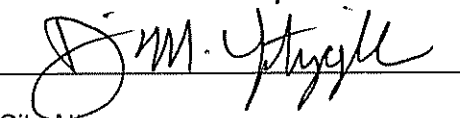

City Attorney

JPA 01-022 - Amendment One

APPROVAL OF THE CITY OF COOLIDGE ATTORNEY

I have reviewed the above referenced intergovernmental agreement between the DEPARTMENT OF TRANSPORTATION, INTERMODAL TRANSPORTATION DIVISION, and the CITY OF COOLIDGE, an agreement among public agencies which, has been reviewed pursuant to A.R.S. section 11-951 through 11-954 and declare this agreement to be in proper form and within the powers and authority granted to the City under the laws of the State of Arizona. No opinion is expressed as to the authority of the State to enter into this agreement.

DATED this 24th day of November, 2003.



City Attorney



OFFICE OF THE ATTORNEY GENERAL
STATE OF ARIZONA

CIVIL DIVISION
TRANSPORTATION SECTION
WRITER'S DIRECT LINE 602.542.8855

TERRY GODDARD
ATTORNEY GENERAL

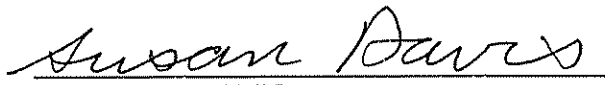
INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A.G. Contract No. KR01-0254TRN (**JPA 01-22-Amendment 1**), an Agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the Undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

DATED 1-15, 2004.

TERRY GODDARD
Attorney General


SUSAN E. DAVIS
Assistant Attorney General
Transportation Section

SED:dgr
Attachment
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